

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

PERCY JOE FISHER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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4:94CR137-3

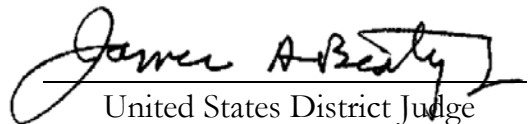
ORDER

On June 4, 2013, the United States Magistrate Judge's Order and Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner filed objections to the Recommendation within the time limit prescribed by Section 636.

The Court has reviewed the parties' submissions de novo and finds they do not change the substance of the United States Magistrate Judge's rulings which are affirmed and adopted.

To the extent this action should be filed under 28 U.S.C. § 2255, it is DISMISSED *sua sponte* for failure to obtain certification for this §2255 application by filing a Motion for Authorization in the court of appeals as required by 28 U.S.C. § 2255 and 2244 and Fourth Circuit Local Rule 22(d). To the extent this action should be filed under 28 U.S.C. §2241, it is DISMISSED without prejudice to Petitioner filing a petition in the proper district.

This, the 1st day of July, 2013.


United States District Judge